

**AGING COMMITTEE****Public Hearing****February 5, 2015*****Written testimony of State Ombudsman, Nancy Shaffer***

Good morning Representative Serra and Senator Flexer, Vice Chair Senator Osten and Representative Rovero and ranking members, Senator Kelly and Representative Bolinsky and Honorable Members of the Aging Committee. My name is Nancy Shaffer and I am the Connecticut State Long-Term Care Ombudsman. Per the Older American's Act and CT General Statute 17b-400-417, it is the duty of the State Ombudsman to provide services to protect the health, safety, welfare and rights of the residents of skilled nursing facilities, residential care homes and managed residential communities/assisted living facilities. Most recently, the CT General Assembly mandated the Long-Term Care Ombudsman Program develop a pilot project to provide ombudsman services to individuals in Hartford County who receive long-term services and supports in their homes. It is the responsibility of the State Ombudsman to also advocate for changes in laws and governmental policies and actions that pertain to the health, safety, welfare and rights of residents with respect to the adequacy of long-term care facilities. Additionally, I serve as co-chair of the State Department on Aging's initiative, the Connecticut Elder Justice Coalition. In this capacity I have broadened my understanding of elder abuse, neglect and exploitation specific to vulnerable individuals who reside in their communities. I've had the opportunity to meet with state and national experts and learn from them.

I appreciate this opportunity to testify on behalf of the many thousands of individuals throughout Connecticut who receive long-term services and supports. Today I offer comments regarding these legislative proposals:

**S.B. No. 705 (RAISED) AN ACT CONCERNING A COMMUNITY SPOUSE'S ALLOWABLE ASSETS.**

This proposal increases the amount of funds a community spouse is allowed to retain when their spouse is a resident of a Connecticut skilled nursing facility and receives Medicaid. It would raise the minimum amount allowed the community spouse to fifty thousand dollars. As a state, Connecticut has made a philosophical commitment to its aging and disabled citizens to respect their wishes and rights to remain in the setting of their choice with supports and services as needed. This commitment is backed by



numerous practical initiatives such as the Money Follows the Person program and the promotion of Livable Communities projects throughout the State. In an environment in which we decidedly want to promote healthy and independent community living it makes good sense for us to do all that we can to support a community spouse in his or her own home. We want to ensure the community-dwelling spouse has enough funds to maintain themselves adequately in their home and continue to age in place in this setting.

Connecticut ranks as the 48<sup>th</sup> most expensive state in the country in the cost of living index. Connecticut has a 33% higher average cost index than the "typical" state. It therefore seems essential that Connecticut provide the best opportunity for the community spouse to remain independent for as long as possible. This increased allowable amount retained by the spouse could help him or her address future financial challenges of living in the community, including upkeep and repairs to the home, providing for their own medical necessities and possibly even pay for private home care if needed.

**S.B. No. 706 (Raised) AN ACT CONCERNING MANDATED REPORTERS OF ELDERLY ABUSE.**

On February 2, 2015, President Obama released his FY 2016 budget proposal which includes \$25 million for the Elder Justice Initiative. The President envisions funding to help support and enhance State Adult Protective Services data collection, services, research and oversight. The demographics of aging in this country and in particular in Connecticut speak to the need to enhance supports and services in order to better understand and prevent abuse, neglect and exploitation of vulnerable individuals. To that end, including emergency medical technicians (EMT's) to the list of mandated reporters of elder abuse is a further enhancement of the checks and balances related to observing and reporting abuse.

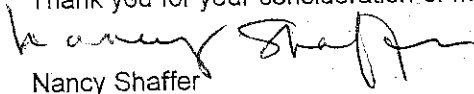
Inclusion of this important group of health care providers/first responders is an appropriate expansion to the list of current mandated reporters for the State of Connecticut. According to experts in the field of elder victimization such as Paul Greenwood, San Diego Assistant District Attorney and national expert in the prosecution of elder abuse offenders, first responders, such as EMT's, are in an excellent position to observe and report first-hand the abuse or neglect of an elder. If we think about it, EMT's may often be in the best position to report their on-the-scene observations of the individual and their environment so it is important they be included as mandated reporters. The Ombudsman Program strongly supports the proposed expansion of mandated reporters to include emergency medical technicians.

**S.B. No. 707 (Raised) AN ACT CONCERNING NOTIFICATION OF THE STATE'S INTEREST IN PROTECTING NURSING HOME RESIDENTS.**

The Ombudsman Program sincerely appreciates the support of the members of the Aging Committee and their focus on quality of life and care for nursing home residents. Resubmitting this proposal on behalf of the thousands of residents of Connecticut's skilled nursing facilities speaks to your commitment to high

standards of care and services. There are serious consequences for long-term care consumers when "bad actors" such as Ray Termini owner of multiple Haven Healthcare facilities or Douglas Mittleider, owner of William and Sally Tandet nursing home in Stamford, use their homes for their own financial gain with little thought to providing quality care to those individuals living in their facilities. During past legislative sessions the Ombudsman Program has collaborated with representatives of the two provider organizations, Leading Age of CT and the CT Association of Health Care Facilities to draft language that made sense and that was a positive declaration of the state's interest in protecting its nursing home residents. The current proposal reflects these previous conversations. It is my sincere hope that providers will support the language of Raised Bill No. 707 and this 2015 General Assembly will follow the proposal through to become law.

Thank you for your consideration of my testimony.

  
Nancy Shaffer

